



Staff Report

February 13, 2018

TO: Honorable Mayor and Members of the Town Council
FROM: Sean Rabé, Town Manager
DATE: February 5, 2018
RE: Approval of Code Enforcement Contract with CSG Consultants

Recommendation

Staff recommends the Council authorize the Town Manager to enter into a contract with CSG Consulting for code enforcement services.

Issue Statement and Discussion

As the Council knows, the Town has had an ongoing need for consistent code enforcement for some time now. The Town used part time staff in the past for this service; however, that part time staff person has retired. The Town Clerk has been filling the code enforcement gap as well; however, her workload doesn't permit adequate time for her to routinely follow-up and finalize code enforcement issues. Nor should she be expected to – code enforcement should be handled by someone who can devote the necessary time to follow through with cases, and who I am not afraid to send to a property.

A lengthy discussion regarding the need for additional code enforcement was had during the 2017-18 budget discussion in June. While the Town could hire a staff member to provide this service, I feel very strongly that the Town would be better served by using a contractor to conduct our code enforcement. There are two primary reasons for this: First, a code enforcement officer is a very specialized position that requires significant training (thus, it is difficult to find a staff member who can fit that role and also serve in other capacities); and secondly, there are no ongoing pension and other benefit obligation when hiring a contractor.

I requested the firm that I worked with at my previous city provide the Town a proposal for code enforcement services. The attached proposal reflects the level of service that I believe the Town would best benefit from – i.e., maintaining complaint-based enforcement that augments what staff is currently doing. CSG Consultant's proposal (attached) provides one on-call, certified code enforcement officer that will provide a beginning-to-end solution for our enforcement issues. Because of my previous working relationship with CSG, I am certain the relationship will prove successful to the Town. The hourly rate quoted in the proposal (\$95) is quite reasonable, considering that it covers all overhead. No transportation costs (mileage) are requested as well.

I also considered partnering with a nearby government agency (likely Placer County) to provide these services. While that is still an option, I believe contracting code enforcement out to a contractor provides the Town with more control over the process and a better way to control costs.

Staff strongly recommends authorization for the Town Manager to enter into a contract with CSG Consultants for code enforcement services.

CEQA Requirements

There are no CEQA requirements associated with the recommended action.

Financial and/or Policy Implications

The 2017-18 budget included about \$10,000 in code enforcement staff time; however, none of that was used because the part-time employee retired. The \$95 per hour rate will provide the Town with about 105 hours of code enforcement services through the fiscal year (June 30). The mid-year budget report and budget adjustments on the consent calendar include the transfer of staff time to contractor services. Staff will recommend either the same \$10,000 (or more) for code enforcement in the 2018-19 fiscal year budget.

Attachments

- A. Proposal



January 30, 2018

Sean Rabé
Town Manager
Town of Loomis
3665 Taylor Road
Loomis, CA 95650

Re: Proposal for Code Enforcement Services

Dear Mr. Rabé:

CSG Consultants, Inc. ("CSG") is pleased to submit this proposal to the Town of Loomis ("Town") for professional Code Enforcement Services. Our firm brings specialized expertise, depth of resources, and highly knowledgeable and experienced staff.

Scope of Services

CSG is proposing to provide code enforcement services to augment the Town's existing code enforcement staff on an as-needed basis. CSG's full-service code enforcement capabilities are described on the following page. While those services are available to the Town, CSG understands that the primary focus of its work will be to respond to existing code enforcement violations identified by Town staff rather than actively identifying violations.

Personnel

For the performance of this work, CSG proposes the services of **Sean Flanagan, CCEO** at a rate of \$95.00 per hour. Mr. Flanagan's resume is provided herein for the Town's review. Our all-inclusive hourly rate covers overhead expenses such as mileage and all other equipment necessary to execute the job requirements, with payment to be made monthly upon receipt of itemized invoices submitted to the Town's designee.

Robert L. Cushing will serve as Project Manager for this contract. His contact information is as follows:

Robert L. Cushing, REHS, CCEO | Code Enforcement Manager
550 Pilgrim Drive, Foster City, CA 94404
(650) 333-0854 | robertc@csgegr.com

Please feel free to contact Mr. Cushing with any questions or comments you may have regarding our proposal. We greatly look forward to this opportunity to provide code enforcement services to the Town of Loomis.

Sincerely,

A handwritten signature in blue ink, appearing to read "Cyrus Kianpour", written over a horizontal line.

Cyrus Kianpour, PE, PLS
President, CSG Consultants, Inc.

Code Enforcement Services Overview

KEY BENEFITS

Code enforcement activities are a crucial service to ensure not only public health and safety but also to enhance economic development throughout a community. Blighted conditions such as graffiti on public and private properties, illegal dumping, vacant lots, overgrown vegetation, deteriorated building exteriors, missing or broken windows and screens, foreclosures, illegal signs, and inoperable vehicles all contribute to a community's deterioration. Municipal Code standards are enforced to ensure that communities remain attractive and safe. Well-kept communities help to maintain or increase property values, discourage crime, encourage quality development while preserving the overall quality of life in the community.



QUALIFICATIONS & SERVICES

CSG maintains Code Enforcement Officers who are fully trained, licensed and certified through the California Association of Code Enforcement Officers (CACEO) and the National Environmental Health Association (NEHA) for any code enforcement challenge presented.

CSG's Code Enforcement Officers work to identify code violations and engage stakeholders and responsible parties to correct code violations consistent with municipal and state codes tailored to the specific needs of the agency.

Examples of codes and ordinances enforced include:

- Zoning codes
- Building codes
- Housing codes
- Public nuisance codes
- State health & safety codes
- Special concerns such as work and safety regulations, short term rental enforcement, massage and human trafficking, and marijuana dispensaries

Our Code Enforcement Officers have extensive experience and skills in the following key areas:

- Code enforcement program review and analysis
- Code enforcement inspections
- Preparing administrative remedies including administrative citations
- Conducting administrative hearings
- Preparing program documentation and staff reports as well as committee and City Council presentations
- Testifying on behalf of clients in criminal court
- License and permit application review and processing
- Coordination of activities with multiple departments including Building, Planning, Community Development, Police and City Attorneys
- Providing information on municipal regulations to property owners, residents, businesses, the general public, as well as to agency departments and divisions

Although a majority of our results are gained by voluntary compliance, our services include a full range of code enforcement activities, including:

- Enforcing administrative abatement
- Testifying in public hearings and court proceedings on behalf of the agency
- Facilitating settlement agreements
- Recommending changes to the code
- Appearing as expert witnesses

Robert L. Cushing

REHS, CCEO
Code Enforcement Manager



LICENSES and CERTIFICATIONS

Stormwater Program Management
Registered Environmental Health Specialist
| 3000

Law Enforcement PC 832 Certificate
| Newark Police Department

California Community College Credential

Various Cal EPA Solid Waste and
Environmental Certifications

CACEO Certified Code Enforcement Officer

California Environmental Health Association

EDUCATION

Bachelor of Arts, Environmental Health
San Jose State University
| San Jose, CA

Master of Arts, Public Health Education
San Jose State University
| San Jose, CA

Mr. Cushing has over 30 years of experience enforcing health and safety codes, the abatement of abandoned vehicles, enforcing local regulations and drafting legislation. With expertise in investigation, mediation, conflict management and California codes, Mr. Cushing brings a proactive approach to resolving code compliance issues for CSG's client agencies.

Prior to joining CSG, Mr. Cushing worked in San Jose, California's third largest city, in a variety of jobs including Chief of Code Enforcement, Secretary of the Code Enforcement Appeals Commission and the President of the City of San Jose Management Employees Association.

RELEVANT EXPERIENCE

Code Enforcement Manager | CSG Client Agencies

With the **City of Pittsburg**, Mr. Cushing proposed policies and procedures to develop a Rental Housing Inspection program that improved the quality of the City's housing stock enabling it to be more financially self-sustaining. In the **Cities of Atherton, Marina, and Monte Sereno**, Mr. Cushing performed code compliance inspections and periodically reviewed these enforcement programs. His approach to the resolution of long-standing cases resulted in the elimination of complaint back-logs.

While in the **Cities/Towns of Pittsburg, Pinole, and Los Altos Hills**, Mr. Cushing analyzed program efficiency and effectiveness and developed procedures to enhance outdated Code Enforcement programs. He initiated and implemented a dangerous tree enforcement program in Los Altos Hills. Mr. Cushing recently completed an audit of the Code Enforcement Program for the **County of Monterey** and published "Review of the Code Enforcement Program" for the County. He is the Chief Executive Officer for the **Santa Clara County** Abandoned Vehicle Authority overseeing an Agency budget of \$1.7 million dollars and 15 member cities.

Chief/Supervisor of Code Enforcement | City of San Jose, CA

Mr. Cushing managed the Code Enforcement Division for over 30 years and through several department transitions and programs implementations including the CDBG Block Grant Program, Administrative Remedies Program, San Jose Appeals Hearing Board Vehicle Abatement and various programs within the Department of Planning, Building and Code Enforcement. He directed 6 Supervisors, 20 Vehicle Abatement Officers and 45 Code Enforcement Officers.

Sean Flanagan CCEO



LICENSES and CERTIFICATIONS

California Code Enforcement Officer Association,
(CACEO)

Advanced Code Enforcement Officer
PC 832 Certified

EDUCATION

Bachelor of Arts, Political Science/Government

University of California Davis

| Davis, CA

Certificate of Completion, Fire Science and
Emergency Preparedness

University of California Davis

| Davis, CA

Code Enforcement Officer

Mr. Flanagan is a Code Enforcement Officer for CSG Consultants. He brings over 10 years of municipal experience having served in the capacities of Code Enforcement Officer, Associate Planner, Assistant Planner and Project Manager for numerous public agencies throughout the State of California. He is experienced in enforcing regulations in support of code compliance, national and local health, safety, and zoning and land use laws; and is trained in performing C4 stormwater inspections. Additional experience includes planning counter duty, answering land use questions from project developers and the public, and working with the California Coastal Commission to resolve zoning and environmental violations. He has excellent report writing, time management, and public speaking skills, including experience presenting to Planning Commissions and City Councils.

RELEVANT EXPERIENCE

Code Enforcement Officer | City of Campbell, CA

For this special 2 days per week CSG contract, Mr. Flanagan reviewed and investigated 300+ code enforcement cases for unpermitted construction, illegal accessory units and garage conversions, illegal storage of inoperable vehicles, extreme property maintenance issues, illegal home occupation businesses, illegal fencing and other encroachments. He issued notices to make current property owners aware of violations on their properties, and if voluntary compliance was not achieved, he moved forward with the citation process.

Code Enforcement Officer | City of Pacifica, CA

As a CSG Code Enforcement Officer, Mr. Flanagan performed comprehensive code enforcement services including addressing property maintenance issues such as hoarding, elder welfare, illegal occupancies (e.g., living in campers on residential properties), inoperable vehicles on private properties, garbage accumulation, graffiti and other blight conditions; and handling issues specific to this beach community such as homeless encampments, complaints from the California Coastal Commission, and enforcement of additional regulations of the coastal zone. His work also included enforcement actions associated with dangerous buildings, unpermitted construction, and "Stop Work" orders, and mediating neighbor disputes. In the office, Mr. Flanagan answered municipal and zoning codes questions at the front counter, wrote notices and warning letters, and issued administrative citations, when needed.

Code Enforcement Officer | County of Mendocino, CA

Mr. Flanagan enforced health and safety codes including performing investigative abatement and enforcement work for state and local codes, ordinances and approval conditions related to the use, maintenance and safety of land and structures; handling complaints of violations for residential, commercial and industrial properties; and defusing hostile situations. Additional work experience includes marijuana and meth lab abatement as well as work with several auto abatement programs.

Contract Code Enforcement Officer | Cities of Half Moon Bay, Tracy, Montebello & Rancho Cordova, CA

Mr. Flanagan's investigative abatement and enforcement cases included but were not limited to auto abatement, neighbor conflict, sub-standard housing, drug labs, and working with planning departments to resolve zoning violations. Mr. Flanagan handled complaints of violations for residential, commercial and industrial properties and apartment preservation.

Associate Planner | City of South San Francisco, CA

Mr. Flanagan's responsibilities included public counter duty, reviewing and issuing temporary use permits (TUP) and sign permits. Other responsibilities included review of site developments, sign SDR, plot plans, planned use developments (PUD), municipal code amendments, business license applications, and historic preservation projects.

Assistant Planner / Zoning Enforcement Officer | Cities of Dublin, Sacramento & Fontana, & County of Riverside, CA

As an Assistant Planner, Mr. Flanagan handled a wide range of discretionary projects including major design review projects, zone changes, General Plan amendments, administrative site plans, tract & parcel maps, and eminent domain cases. Work also included certificate of occupancy inspections for commercial projects.